

IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE - E/S Main Street,	
345' S of c/l Glyndon Drive	* DEPUTY ZONING COMMISSIONER
(413 Main Street)	
4th Election District	* OF BALTIMORE COUNTY
3rd Councilmanic District	
	* Case No. 97-129-SPHA
C. Robert Lynch, Jr., et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 413 Main Street (Reisterstown Road), located in the vicinity of Glyndon Drive in Reisterstown. The Petitions were filed by the owners of the property, C. Robert Lynch, Jr., and his wife, Nancy H. Lynch, and the Contract Purchasers, John J. and Joan K. McLoughlin, through their attorney, Robert W. Taylor, Esquire. The Petitioners seek approval of parking for a commercial use in a residential (DR-16) zone, and a variance from Section 409.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were John J. McLoughlin, who recently settled on the property and is now the owner, and Robert W. Taylor, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.53 acres, more or less, split zoned R.O. and D.R. 16 and is improved with a two-story dwelling, garage, and shed. Also located on the

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 Date 11/16/96
 By ABP

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property is a paved parking area to the rear of the existing dwelling which is accessed via a driveway that runs along the northern property line. The current use of the property is residential, however, Mr. McLoughlin proposes to use the property as office space. Due to the unique configuration of the property and the location of existing improvements thereon, the requested special hearing and variance are necessary in order to proceed as proposed. As can be seen from the site plan, the existing driveway is only 15 feet wide and does not meet the required width of 20 feet. Furthermore, five (5) of the parking spaces provided will be located to the rear of the dwelling in the D.R. 16 zoned portion of the site. Thus, the requested special hearing and variance are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of November, 1996 that the Petition for Special Hearing seeking approval of parking for a commercial use in a residential (DR-16) zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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Date

By

1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Prior to the issuance of any use permits, the Petitioner shall submit a landscape plan for review and approval by the Office of Planning.

3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

by

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	
<u>C. ROBERT LYNCH, JR., ET AL -</u>	*	COUNTY BOARD OF APPEALS
FOR A SPECIAL HEARING AND	*	
VARIANCE ON PROPERTY LOCATED	*	OF
ON THE EAST SIDE MAIN STREET,	*	
345 FEET SOUTH OF THE CENTER-	*	BALTIMORE COUNTY
LINE GLYNDON DRIVE	*	
(413 MAIN STREET)	*	CASE NO. 97-129-SPHA
4TH ELECTION DISTRICT	*	
3RD COUNCILMANIC DISTRICT	*	

* * * * *

O P I N I O N

This matter comes before the Board of Appeals as an appeal of a decision by the Deputy Zoning Commissioner dated November 6, 1996, in which the Petition for Special Hearing seeking approval of parking for commercial use in a residential (D.R. 16) zone was granted, and the Petition for Variance seeking relief from Section 409.4A of the Baltimore County Zoning Regulations (BCZR) to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet was granted with restrictions for the subject property at 413 Main Street, Reisterstown, MD.

This appeal was taken by People's Counsel for Baltimore County, Peter Max Zimmerman, and Carole S. Demilio, Deputy People's Counsel. Petitioners are C. Robert Lynch and Nancy H. Lynch, and John and Joan McLoughlin, contract purchasers of the subject site. Mr. Zimmerman appeared on behalf of the People's Counsel, and Robert W. Taylor, Esquire, appeared as attorney for the Petitioners. There were no protestants present.

Mr. McLoughlin testified that he is now the owner of the subject property, which consists of .53 acre, more or less, and is split-zoned R.O. and D.R. 16. The property is improved with a two-story house and a garage. Mr. McLoughlin uses the property as offices for his business, Maryland Lighting. Parking for the

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business is a paved area to the rear of the existing building and is accessed by a driveway along the northern property line. The current driveway is only 15 feet wide and does not, therefore, meet the required standard of 20 feet. Thus, a variance is requested. In addition, the Petitioner wishes to locate five parking spaces to the rear on the D.R. 16 portion of the property. The Petitioner offered photographs of the subject site into evidence (Petitioner's Exhibit No. 1).

Geoffrey Schultz of McKee & Associates, civil engineers and land surveyors, testified as an expert witness on behalf of the Petitioners. Mr. McKee offered as evidence a site plan (Petitioner's Exhibit No. 2) which he had prepared, dated December 14, 1996. He testified as to the unique shape of the parcel whereby the driveway must be located in such a way between the existing building and the property line that 15 feet is the maximum width available, although the driveway does widen at the intersection with the public road to 25 feet, thereby meeting the required standard. Mr. Schultz also testified that, lacking a variance, the existing dwelling would have to be torn down and a new one not as compatible with the neighborhood would have to be constructed. According to Mr. Schultz, this would inflict a practical difficulty and financial hardship on the Petitioner, and conflict with the spirit and intent of the R.O. zone.

As Appellant, Mr. Zimmerman placed into evidence the comments of Arnold F. Keller, Director, Office of Planning, with regard to the subject property (People's Counsel's Exhibit No. 1). Bill Hughey, area planner, testified that the Office of Planning agreed that a variance for driveway width and parking in the D.R. 16 zone

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creates an excellent opportunity for adaptive re-use on this Main Street property without adversely affecting the general welfare of the community. Mr. Hughey also indicated that such a plan coordinated well with the "Main Street" streetscape plan favored for Reisterstown by the State of Maryland.

However, the one change in the original site plan recommended by the Office of Planning, and the reason for the appeal by People's Counsel, dealt with four parking spaces proposed for the front yard of the property. In the "Main Street" plan, large front yards compliment retention of the Victorian atmosphere of the town. The proposed parking spaces in front of the dwelling would be in conflict with this goal. Mr. Hughey also recommended a landscape plan to buffer the neighboring residential lots from the parking area in the rear.

The Petitioners pointed out that these four parking spaces had been eliminated in their revised site plan (Petitioner's Exhibit No. 2), and that a landscape plan was being prepared and would be filed in accordance with the Baltimore County landscape requirements.

This Board finds as a fact that the Petitioner's request for special hearing and variance shall be granted in accordance with the revised site plan (Petitioner's Exhibit No. 2); all parking in the front yard of the dwelling shall be eliminated; and a landscape plan shall be filed with and approved by Baltimore County, and will so order.

O R D E R

THEREFORE, IT IS THIS 25th day of April, 1997
by the County Board of Appeals of Baltimore County

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ORDERED that the Petition for Special Hearing seeking approval of parking for commercial use in a residential (D.R. 16) zone be and the same is hereby GRANTED; and it is further

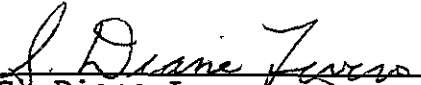
ORDERED that the Petition for Variance to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet be and the same is GRANTED, in accordance with the revised site plan (Petitioner's Exhibit No. 2), and subject to the following restrictions:

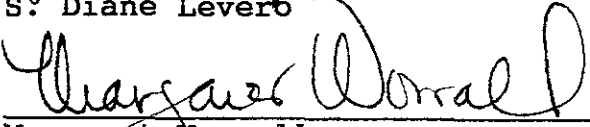
1. All parking in the front yard of the dwelling shall be eliminated;
2. Prior to the issuance of any use permits, the Petitioner shall submit a landscape plan for review and approval by the Office of Planning; and
3. When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Howanski, Acting Chairman


S. Diane Levero


Margaret Worrall

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County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 25, 1997

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: Case No. 97-129-SPHA
C. Robert Lynch, Jr., et ux

Dear Mr. Zimmerman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Charlotte E. Radcliffe for
Kathleen C. Bianco
Legal Administrator

encl.

cc: Robert W. Taylor, Jr., Esquire
Mr. & Mrs. John J. McLoughlin
Mr. & Mrs. C. Robert Lynch, Jr.
Geoffrey C. Schultz /McKee & Associates, Inc.
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director/PDM
Virginia W. Barnhart, County Attorney

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 6, 1996

Robert W. Taylor, Jr., Esquire
Howard, Butler & Melfa
401 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
E/S Main Street, 345' S of c/l Glyndon Drive
(413 Main Street)
4th Election District - 3rd Councilmanic District
C. Robert Lynch, Jr., et ux - Petitioners
Case No. 97-129-SPHA

Dear Mr. Taylor:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. John J. McLoughlin
13017 Gent Road, Reisterstown, Md. 21136

Mr. Geoffrey C. Schultz, McKee & Associates, Inc.
5 Shawan Road, Hunt Valley, Md. 21030

People's Counsel

File

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RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
413 Main Street, E/S Main Street,	*	ZONING COMMISSIONER
345' S of c/l Glyndon Drive		
4th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
Legal Owner(s): Robert and Nancy Lynch	*	CASE NO. 97-129-SPHA
Contr. Purchaser(s): John & Joan McLoughlin	*	
Petitioners	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert W. Taylor, Jr., Esq., Howard, Butler & Melfa, 401 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

413 Main Street

97-129-SPA

which is presently zoned RO/DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve parking for a commercial use in a residential (DR-16) zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

John J. McLoughlin & Joan K. McLoughlin

(Type or Print Name)

Signature

13017 Gent Road

Address

Reisterstown

MD

21136

City

State

Zipcode

Attorney for Petitioner:

Robert W. Taylor, Jr.

(Type or Print Name)

Signature

Howard, Butler & Melfa

401 Allegheny Avenue 337-0900

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

C. Robert Lynch, Jr.

(Type or Print Name)

Signature

Nancy H. Lynch

(Type or Print Name)

Signature

413 Main Street

Address

Phone No.

Reisterstown

MD

21136

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

McKee & Associates, Inc.

527-1555

Name

5 Shawan Road, Hunt Valley, MD 21030

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: J. M. DATE 9-23-96

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ORDER RECEIVED FOR FILING

Date

By





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 413 Main Street

97-129-SHA

which is presently zoned RO/DR-16

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.4A to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Location of existing house in relation to northern property line limits the maximum width to 15 feet.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

John J. McLoughlin & Joan K. McLoughlin

(Type or Print Name)

Signature

13017 Gent Road

Address

Reisterstown, MD 21136

City

State

Zipcode

Attorney for Petitioner:

Robert W. Taylor, Jr.

(Type or Print Name)

Signature

Howard, Butler & Melfa
401 Allegheny Avenue 337-0900

Address

Phone No.

Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

C. Robert Lynch, Jr.

(Type or Print Name)

Signature

Nancy H. Lynch

(Type or Print Name)

Signature

413 Main Street

Address

Phone No.

Reisterstown, MD 21136

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

McKee & Associates, Inc. 527-1555

Name

5 Shawan Road, Hunt Valley, MD 21030

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY: Sum

DATE

9-23-96

130

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Printed with Soybean Ink
on Recycled Paper



ORDER RECEIVED FOR FILING

Date

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

September 19, 1996

97-129-SPA
ZONING DESCRIPTION TO ACCOMPANYING
SPECIAL HEARING AND VARAINCE FOR
413 MAIN STREET
FOURTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the east side of Main Street, said point being located 345 feet South of the intersection with Glyndon Drive running thence the following seven courses and distances: North 87° 58' East 176.50 feet, South 02° 50' West 20.00 feet, South 88° 48' West 123.90 feet, South 02° 50' East 61.25 feet, South 87° 12' West 300.00 feet, North 02° 50' West 72.50 feet, and North 02° 50' West 20.00 feet to the place of beginning.

Containing 23,173 square feet or 0.53 acres of land, more or less. Also, being known as 413 Main Street, located in the Fourth Election District, Third Councilmanic District of Baltimore County, Maryland.



130

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-129-SPHA (Item 130)

413 Main Street
ES Main Street, 345' S of c/d
Glyndon Drive
4th Election District
3rd Councilmanic

Legal Owner(s):

C. Robert Lynch, Jr. and
Nancy H. Lynch
Contract Purchaser(s):
John J. McLoughlin and
Jean K. McLoughlin

Special Hearing: to approve parking for a commercial use in a residential zone. Variance: to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet.
Hearing: Tuesday, October 29, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations, Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

10/129 Oct. 10 C89801

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/10, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/10, 1996.

THE JEFFERSONIAN,

A. H. Miller
LEGAL AD. - TOWSON

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CERTIFICATE OF POSTING

RE: Case No.: 97-129(Item 130)

Petitioner/Developer: John J. and

Joan K. McLoughlin

Date of Hearing/Closing: October 29, 1996

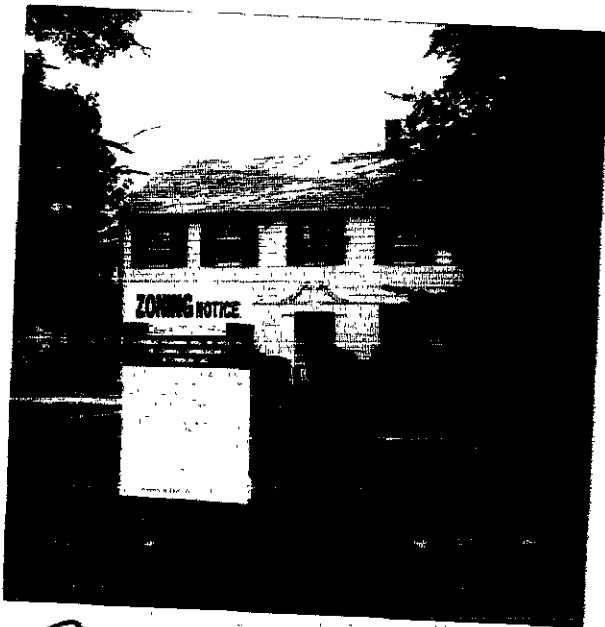
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 413 Main Street

The sign(s) were posted on Monday, October 14, 1996
(Month, Day, Year)



Sincerely,

William A. Gulick
(Signature of Sign Poster and Date)

William D. Gulick
(Printed Name)

5 Shawan Road
(Address)

Hunt Valley, Maryland 21030
(City, State, Zip Code)

(410) 527-1555
(Telephone Number)

William D. Gulick 10/14/96

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
ISCELLANEOUS CASH RECEIPT

130 No.

026335

DATE 9-23-96 ACCOUNT Room 6150

RECEIVED John McLaughlin AMOUNT \$ 570.00

FROM:

VAR (020) 413 Major
50106 (075) 2 501.00
POLICE (020) 250.00
FOR 70.00

MICROFILMED

UNADMITTED

570.00 70.00

UNION CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

JCM



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

1) The cost of the sign will be accessed and paid to this office at the time of filing.

2) ~~If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.~~

3) ~~Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.~~

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:

97-129-A

Name Geoffrey Schultz Company McKee & Associates Phone Number 527-1555

For newspaper advertising:

Item No.: 130

Petitioner: JOHN McLoughlin, Maryland Lighting Inc

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Geoffrey Schultz

ADDRESS: c/o McKee and Associates

Shawan Place, 5 Shawan Rd Hunt Valley, Md 21030

PHONE NUMBER: (410) 527-1555

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TO: PUFFXENT PUBLISHING COMPANY
October 10, 1996 Issue - Jeffersonian

Please forward billing to:

Geoffrey Schultz
c/o McKee & Associates
Shawan Place
5 Shawan Road
Hunt Valley, MD 21030
527-1555

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-129-SPHA (Item 130)
413 Main Street
E/S Main Street, 345' S of c/l Glyndon Drive
4th Election District - 3rd Councilmanic
Legal Owner(s): C. Robert Lynch, Jr. and Nancy H. Lynch
Contract Purchaser(s): John J. McLoughlin and Joan K. McLoughlin

Special Hearing to approve parking for a commercial use in a residential zone.
Variance to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet.

HEARING: TUESDAY, OCTOBER 29, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-129-SPHA (Item 130)
413 Main Street
E/S Main Street, 345' S of c/l Glyndon Drive
4th Election District - 3rd Councilmanic
Legal Owner(s): C. Robert Lynch, Jr. and Nancy H. Lynch
Contract Purchaser(s): John J. McLoughlin and Joan K. McLoughlin

Special Hearing to approve parking for a commercial use in a residential zone.
Variance to permit a two-way driveway width of 15 feet in lieu of the minimum required 20 feet.

HEARING: TUESDAY, OCTOBER 29, 1996 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: C. Robert Lynch, Jr. and Nancy H. Lynch
Joan and Joan McLoughlin
Robert W. Taylor, Jr., Esq.
Geoffrey Schultz/McKee & Associates

NOTES: (1) THE ZONING NOTICE SIGN MUST BE POSTED ON THE PROPERTY BY OCTOBER 14, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

February 3, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-129-SPHA

IN THE MATTER OF: C. ROBERT LYNCH, ET AL -
Petitioners 413 Main Street
4th Election District; 3rd Councilmanic
(Petition for Special Hearing GRANTED;
Petition for Variance GRANTED with
restrictions.)

ASSIGNED FOR: THURSDAY, FEBRUARY 20, 1997 at 9:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Appellant: People's Counsel for Baltimore County

Counsel for Petitioner: Robert W. Taylor, Jr., Esquire
Petitioner /C.P. : Mr. and Mrs. John J. McLoughlin
Legal Owners : Mr. & Mrs. C. Robert Lynch, Jr.

Geoffrey C. Schultz /McKee & Associates, Inc.

Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

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Case No. 97-129-SPHA

C. Robert Lynch, Jr., et ux - Petitioners

E/s Main Street, 345' S of c/l Glyndon Drive
(413 Main Street)

4th Election District

Appealed: 11/25/96

(see attached map of
vicinity map)

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Robert W. Taylor, Jr., Esquire
Howard, Butler & Melfa
401 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 130
Case No.: 97-129-SPHA
Petitioner: C. Robert Lynch, et ux

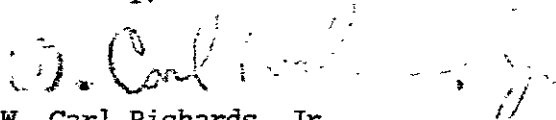
Dear Mr. Taylor:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 23, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 17, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for October 15, 1996
 Item No. 130

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Entrances shall be a minimum of 24 feet and a maximum of 38 feet wide. Depressed curb is to be used with no curb returns to the property line.

RWB:HJO:jrb

cc: File

ZONE31A

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: October 18, 1996

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 413 Main Street

INFORMATION:

Item Number: 130

Petitioner: Lynch Property

Property Size: _____

Zoning: RO/DR16

Requested Action: _____

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

Based on review and a site visit, the Office of Planning offers the following recommendation:

The four (4) parking spaces proposed for the front yard should be removed for the following reasons:

(1) Section 203.3.C.2 (Use Regulations in the R.O. Zone) states that to the "extent possible parking shall be located in the side or rear yards of the lot". This is achievable because even without the four (4) spaces, the proposed office use exceeds the parking requirement.

(2) The Reisterstown "Main Street" streetscape project is imminent. It is hoped that the character of Old Reisterstown will be retained through the use of Victorian street furniture and light posts. The large front yards along Main Street compliment this theme. To allow parking in the front yard would compromise the intent of the project.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kearn

AFK/JL:rdn

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ITEM130.JL/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

November 6, 1996

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 130 (J.C.M.)
MD 140
E/S Main Street
345' south of
centerline Glyndon Drive
413 Main Street
Mile Post 9.23

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to the reconstruction of the entrance on MD 140.

The approval and construction may be handled by one of the following procedures:

1. Administrative permit- the entrance location is within the limits of a State Highway Administration (SHA) streetscape project which is expected to receive notice to proceed on May 3, 1997. Under this scenario, the SHA will construct the entrance at no cost to the owner and the owner will be responsible for a small amount of work to tie the entrance at the right-of-way line.
2. Access Permit-

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (**include Federal ID number or social security number on certified checks only**) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland (**Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection**).

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

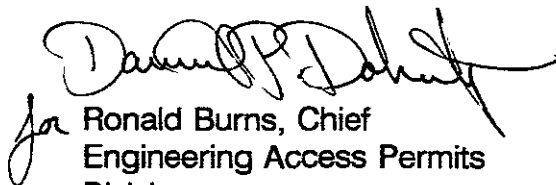
Ms. Roslyn Eubanks
Page Two
November 6, 1996

- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Should you have any questions, or require additional information, please contact Larry Gredlein at 410-545-5606. Thank you for your cooperation.

Very truly yours,


for Ronald Burns, Chief
Engineering Access Permits
Division

LG/es

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 10/2/96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: OCT. 7, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

130
131

135
136

147
148

132

142

133

146

RBS:sp

BRUCE2/DEPRM/TXTSBP

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: C. ROBERT LYNCH, JR. & JOAN K. MCLOUGHLIN

Location: E/S MAIN ST., 345' S OF CENTERLINE GLYNDON DR. (413 MAIN ST.)

Item No.: 130

Zoning Agenda: SPECIAL HEARING/VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

THE 15' SECTION OF THE ACCESS DRIVE IS ACCEPTABLE.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 29, 1996

Robert W. Taylor, Jr., Esquire
Howard, Butler & Melfa
401 Allegheny Avenue
Towson, MD 21204

RE: Petition for Special
Hearing and Variance
E/S Main Street, 345' S
of c/l Glyndon Drive
(413 Main Street)
4th Election District
3rd Councilmanic District
C. Robert Lynch, Jr., et
ux - Petitioners
Case No. 97-129-SPHA

Dear Mr. Taylor:

Please be advised that an appeal of the above-referenced case was filed in this office on November 25, 1996 by Peter Max Zimmerman and Carole S. Demilio on behalf of the People's Counsel of Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

4-03066



APPEAL

Petition for Special Hearing and Variance
E/S Main Street, 345' S of c/l Glyndon Drive
(413 Main Street)
4th Election District - 3rd Councilmanic District
C. Robert Lynch, Jr., et ux - Petitioners
Case No. 97-129-SPHA

Petition for Special Hearing and Variance

Description of Property

Certificate of Publication not Found

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners Sign-In Sheet

Petitioners' Exhibit: 1 - Plan to Accompany Special Hearing and
Variance

Deputy Zoning Commissioner's Order dated November 6, 1996 (Granted)

Notice of Appeal received on November 25, 1996 from Peter Max
Zimmerman and Carole Demilio on behalf of the People's Counsel of
Baltimore County

c: Robert W. Taylor, Jr., Esquire, Howard, Butler & Melfa, 401
Allegheny Avenue, Towson, MD 21204
Mr. and Mrs. John J. McLoughlin, 13017 Gent Road, Reisterstown,
Maryland 21136
Mr. Geoffrey C. Schultz, McKee & Associates, Inc., 5 Shawan Road,
Hunt Valley, MD 21030
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

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Case No. 97-129-SPHA

SPH -To approve parking for commercial use in residential (DR 16) zone; VAR -to permit 2-way driveway width of 15' in lieu of min required 20'.

11/06/96 -Deputy Zoning Commissioner's Order in which Petition for Special Hearing was GRANTED; Petition for Variance GRANTED with restrictions.

1/29/97 -Letter from Robert W. Taylor, Jr., Esquire, requesting expedited hearing in this matter; Appellant's issue has been resolved; revised plan prepared; proffered testimony will require 30 minutes to one hour.

- Confirmed above with Appellant /People's Counsel; confirmed availability of all parties on 2/20/97 at 9:00 a.m.

2/20/97 -Hearing concluded. Deliberated at conclusion of hearing; special hearing and variance requests to be granted; written Opinion and Order to be issued; appellate period to run from date of written Order. (KMW)

MICROFILMED



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

November 25, 1996

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING & VARIANCE
413 Main Street, E/S Main Street,
345' S of c/l Glyndon Drive
4th Election District, 3rd Councilmanic
C. ROBERT LYNCH, JR. & NANCY H. LYNCH,
JOHN J. & JOAN K. McLOUGHLIN, Petitioners
Case No. 97-129-SPHA

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated October 7, 1996 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County

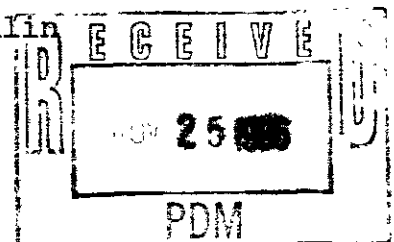
Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/caf

cc: Robert W. Taylor, Esquire
Attorney for Petitioners John and Joan McLoughlin

C. Robert Lynch, Jr. and Nancy H. Lynch

MICROFILMED





Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

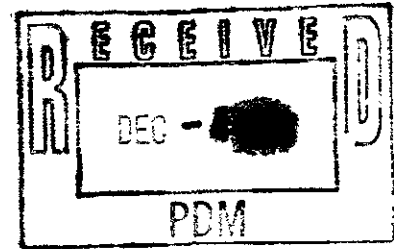
(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 4, 1996

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204



Re: Our appeal filed November 25, 1996
In the Matter of Petition for Special
Hearing and Variance, 413 Main Street,
C. ROBERT LYNCH, JR. AND NANCY H. LYNCH,
JOHN J. & JOAN K. McLAUGHLIN, Petitioners
Case No. 97-129-SPHA

Dear Mr. Jablon:

This letter is to correct a typographical error contained in our letter of appeal filed November 25, 1996 in the above-referenced case. Our letter incorrectly referred to the date of the Order of the Baltimore County Deputy Zoning Commissioner being appealed as October 7, 1996, when the correct date of the Order was actually November 6, 1996. We are therefore clarifying, or amending our appeal to be read as follows:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated November 6, 1996 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

A handwritten signature in cursive script that reads "Peter Max Zimmerman".

Peter Max Zimmerman
People's Counsel for Baltimore County

A handwritten signature in cursive script that reads "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel

MICROFILMED

Arnold Jablon, Director
Department of Permits and
Development Management
December 4, 1996
Page Two

PMZ/CSD/caf

cc: Robert W. Taylor, Esquire
Attorney for Petitioners John and Joan McLoughlin
C. Robert Lynch, Jr. and Nancy H. Lynch

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COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: C. Robert Lynch, Jr., et ux -Petitioners
Case No. 97-129-SPHA

DATE : February 20, 1997 @ conclusion of hearing

BOARD /PANEL : Kristine K. Howanski, Acting Chairman (KKH)
Margaret Worrall (MW)
S. Diane Levero (SDL)

SECRETARY : Kathleen C. Bianco
Legal Administrator

Among those present at the deliberation were Robert W. Taylor, Jr., Esquire, Counsel for Petitioners; and Peter Max Zimmerman, People's Counsel for Baltimore County and Appellant in this matter.

PURPOSE --for public deliberation of matter on appeal in Case No. 97-129-SPHA; testimony and evidence received at hearing on this date.

KKH: We are going into deliberation at this point -Case No. 97-129-SPHA, a Petition for Special Hearing and variance with, I understand now, Mr. McLoughlin is here now in lieu of Mr. Lynch as the contract purchaser. This is a special hearing and variance request for approval of parking for commercial use in residential zone, insofar as the lot in question is split in its zoning and the rear portion of the lot is zoned D.R. 16 and the front R.O. Also there is the variance from Section 409.4(a) of the BCZR to permit two-way driveway width of 15 ft. in lieu of the minimum required 20 ft. The evidence today, both in terms of the map and the testimony and the photographs, does suggest that the parties are trying to make optimal use of this particular situation; that is, in the ideal world, I guess, we would preserve the home, driveway, front yard and rear; if we are picking the lesser of two evils, I believe this Board would share Mr. Zimmerman's position that he would rather preserve the front yard and home and deal with some parking in the rear rather than destroy the building and put up a different type of building.

In light of the testimony, both from Mr. McLoughlin regarding anticipated use and so forth, and Mr. Hughey and Mr. Schulz as to the more technical requirements, this does seem like an admirable and ideal situation for adaptive re-use. I share his position --regarding Class A office space in R.O. zone; my inclination at this point would be to approve the variance and special hearing. I would grant both requests in accordance with the revised Appellee's Exhibit 2; remove front parking

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Deliberation /C. Robert Lynch, Jr., et ux /Case #97-129-SPHA

and shows landscape buffer per testimony heard today. Under those circumstances, it would be my inclination to grant both requests with those conditions.

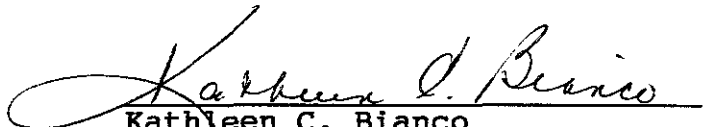
MW: I would agree with what my colleague has said. I would only add that the landscape plan be submitted as one of the conditions that has already been testified to.

SDL: I would also grant the special hearing and variance, in accordance with the revised site plan.

KKH: We appear to be in accord. We will issue a written Opinion approving as testified today;...to appeal...will have 30 days from the date of the written Opinion and Order. Thank you, and this is concluded.

* * * * *

Respectfully submitted,


Kathleen C. Bianco
Legal Administrator

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: November 18, 1997
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed File: Case No. 97-129-SPHA
C. ROBERT LYNCH, JR., ET AL
4th E; 3rd C

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-129-SPHA)

MICROFILMED

LAW OFFICES

HOWARD BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204-4256

DICKEE M. HOWARD
WILLIAM N. BUTLER
LAWRENCE A. MELFA

ROBERT W. TAYLOR, JR.

TELEPHONE
(410) 337-0900

FAX NO.
(410) 337-0916

January 29, 1997

Robert Schuetz, Chairman
Baltimore County Board of Appeals
Room 491, Old Court House
400 Washington Avenue
Towson, Maryland 21204

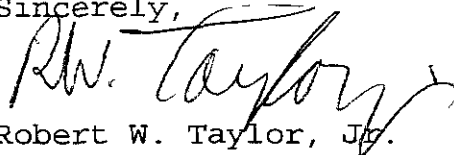
Re: 413 Main Street
C. Robert Lynch, et al, Petitioners
Case No. 97-129SPHA

Dear Mr. Schuetz:

I am writing to request an expedited hearing in the above referenced case. My client and the Appellant (Peoples's Counsel) have addressed the Appellant's sole issue and prepared a revised site plan accordingly. I estimate that the proffered testimony will require 30 minutes to one hour.

Please advise if this would be possible and contact Mr. Zimmerman or myself to coordinate available dates.

Sincerely,


Robert W. Taylor, Jr.

RWT, Jr.:am

cc: Peter Max Zimmerman, Esquire
Office of People's Counsel

1/30/97 @ 9:00

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PLEASE PRINT CLEARLY

PETITIONER
PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Geoffrey C. Schulte

5 SHAWAN RD 21030

Robert W. Taylor

401 Allegheny Ave. 21204

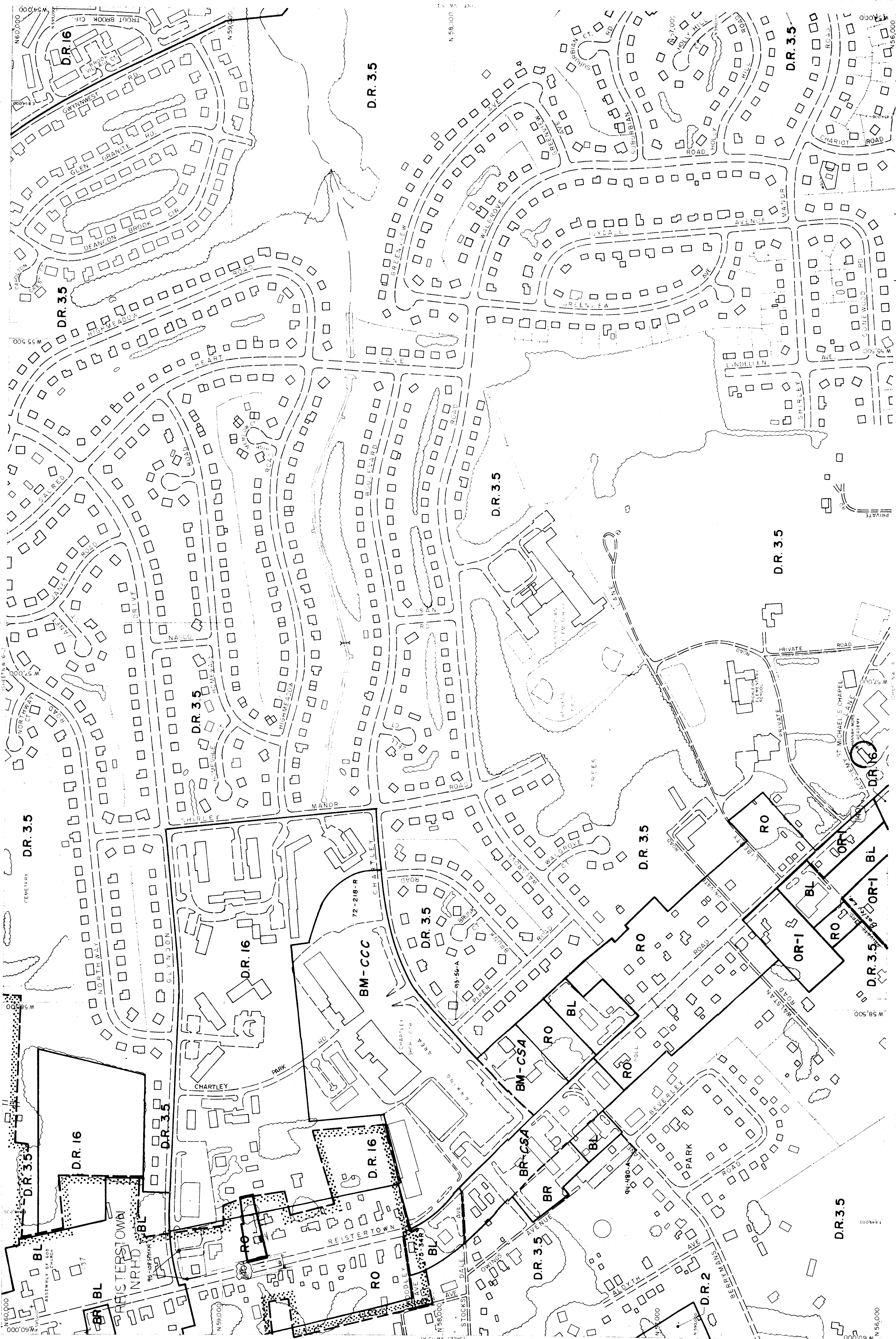
John J McLaughlin

512 Virginia Ave.

MICROFILMED

130

NW 157



97-129-SPHA

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

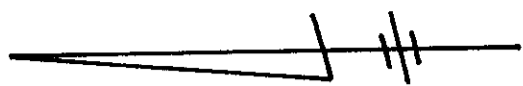
SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1986
LOCATION REISTERSTOWN AREA DELIGHT
SHEET N. W. 15-J

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

William A. Howard
Chairman, County Council

43 Main Street

MICROFILMED

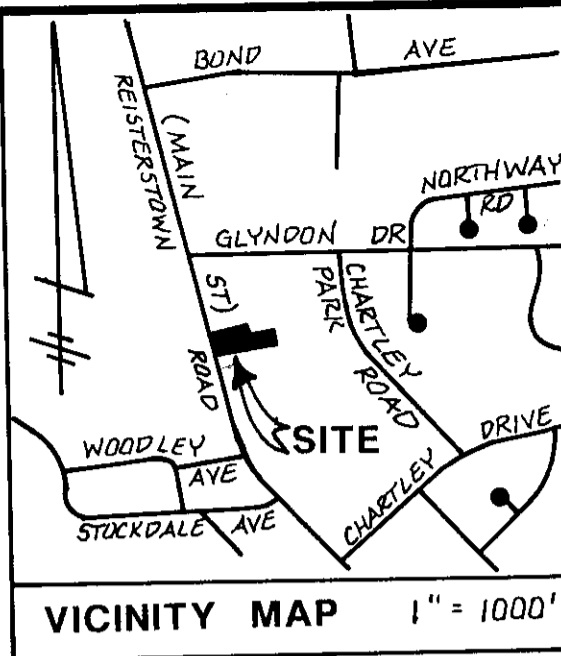


FRANCIS BLAIS
7038 / 491
RESIDENTIAL
4-1800004407

LOUIS WAGNER
8942 / 574
RESIDENTIAL
4-1800004406

ROBERT C. LYNCH, JR.
5379 / 560
RESIDENTIAL
4-0423075675

MARY WAGNER
7758 / 500
RESIDENTIAL
4-0408081330



OWNER

ROBERT C. LYNCH, JR.
413 MAIN STREET
REISTERSTOWN, MD 21136

DEED REFERENCE: 4980 / 430
TAX ACCOUNT #: 4-0412084113

GENERAL NOTES

1. This site lies within Census Tract No. 4044.01
2. This site lies within Councilmanic District No. 3.
3. Existing use of site is residential.
4. Proposed use of site is general office.
5. Grading will be confined to proposed parking area only.
6. Existing soil types for the entire site is G1B (Glenelg-Urban Land Complex 0-8% slopes).
7. All disturbed areas outside paved areas will be seeded.
8. Number of proposed employees - 20
9. The dwelling has not been enlarged in floor area in the last five years.
10. Zoning lines shown hereon are taken from Baltimore County Zoning Map Number NW 15-J.
11. A landscaping plan will be submitted and approved prior to the issuance of a building permit.
12. Hours of operation: Mon-Fri. - 8:00am - 8:00pm
Sat. - 8:00am - 1:00pm
Other Hours by Appointment
13. Any proposed signs will comply with the Baltimore County Zoning Regulations.
14. A D T calculation $2871 \text{ S.F.} \times 12.73 / 1000 \text{ S.F.} = 35.31$
15. This site has access to public water and private septic.
16. Topography shown hereon is from Photogrammetric Map NW 15-J.
17. There have been no previous commercial permits issued or Zoning Hearing/CRG Waivers Granted.

TABULATION

1. Existing zoning of site: RO & D R 16
2. Gross area of site: 23,173 SF = 0.53 AC±
3. Net area of site 23,173 SF = 0.53 AC±
4. FLOOR AREA & PROPOSED USE:
A. BASEMENT 1580 S.F. MECHANICAL & STORAGE
B. FIRST FLOOR 1400 S.F. GENERAL OFFICE
C. SECOND FLOOR 1300 S.F. GENERAL OFFICE
5. PARKING DATA:
A. USE OF SPACES REQUIRED: $2871 \text{ S.F.} \div 1000 \times 3.3 = 24.10$
B. USE OF SPACES PROPOSED: 25
6. FLOOR AREA RATIO: $4451 \text{ S.F. GROSS FLOOR AREA} \div 23173 \text{ GROSS SITE AREA} = 0.19\%$

REV. 12-13-96 REMOVED FRONT PARKING

PLAN TO ACCOMPANY ZONING VARIANCE AND SPECIAL HEARING

413 MAIN STREET

4TH ELECTION DISTRICT
SCALE: 1" = 30'

BALTIMORE CO, MD
DATE: SEPT 19, 1996

McKEE & ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD 21030
PHONE - (410) 527-1555

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APPENDIX 2

